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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,327	03/01/2002	James R. Fore SR.	4287-010	3040

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EXAMINER

LANGDON, EVAN H

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,327

Applicant(s)

FORE ET AL.

Examiner

Evan H Langdon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-13 and 18-26 is/are allowed.
- 6) ☐ Claim(s) 1-6, 8, 14-17, 27-31 and 33-36 is/are rejected.
- 7) ☐ Claim(s) 7 and 32 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: .

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "566", and "568" have been used to designate both a fixed control roller and a moveable control roller in Figures 8A and 8B, and in the specification page 18, lines 7-26 and page 19, lines 1-24. The reference characters "566" and "568" are opposite in the Figures 8A and 8B, as well as inconsistent in the specification in the areas specified above. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.

The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

Page 9, line 11, "remote data terminal 406" and page 26, line 23, "indicator light 406."

Page 12, line 15, "housing302" should read --housing 302 --.

Page 16, line 4, "traverse arm or device 518" and page 17, line 17, "wire directional control device 518."

Page 17, line 6, "servo motor 516" needs to noted as --not shown--.

Page 18, line 23, "Figure 8," should be --Figure 8B--.

Page 29, line 4, "water," should be --wire--.

Page 31, line 13 and 16, "encounter," should be --encoder--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8, 14-17, 27, 28, 31 and 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Kotzur et al. (US 5,678,778).

Kotzur shows a dual mandrel wire winding machine for continuously winding wire alternately on one of two mandrels, comprising:

first 44 and second 46 laterally spaced mandrels;

a traverse 50 for supplying wire alternately to either mandrel;

a single transfer arm 110 for transferring wire from one mandrel to the other mandrel, the transfer arm being operative to engage the wire being directed at the first mandrel 44 and position the wire adjacent the second mandrel 46 outwardly of the second mandrel's axis of rotation.

In regards to claim 2, Kotzur shows the transfer arm is extendable between a retracted and extended positions Figures 7-11.

In regards to claim 3 and 4, Kotzur shows when transferring the wire from the first mandrel 44 to the second mandrel 46, the transfer arm 110 is operative to move the wire underneath the second mandrel 46 and then move the wire upwardly, where the wire is secured

to the second mandrel, as seen in Figure 10 where arm 110 is generally referenced as 116, when moving from the retracted to the extendable positions.

In regards to claim 5, Kotzur shows the transfer arm 110 is operable to engage the wire 114 at a position between the two mandrels, Figures 8 and 9, and pull the wire downwardly, Figure 10, prior to moving the wire under the second mandrel.

In regards to claim 6, Kotzur shows the transfer arm 110 operative to position the wire at the lower outer quadrant of the mandrel, Figure 10.

In regards to claim 8, Kotzur shows transfer arm 110 engages 114 the wire via a cooperative actuation of the transfer arm 110 and traverse 50.

With respect to claims 14-17, the method described in these claims would inherently result from the use of wire winding machine of Kotzur as advanced above.

In regards to claims 27 and 28, Kotzur shows a dual mandrel wire winding machine for continuously winding wire alternately on one of two mandrels, comprising:

- first 44 and second 46 laterally spaced mandrels;
- a single transfer arm 110 extendable between retracted and extended positions;
- a traverse 50 for laterally shifting the wire being supplied to either mandrel, and the traverse operative to cooperate with the transfer arm 110 by aligning the wire so that the transfer arm 110 engages the wire and moves it to the second mandrel, as seen in Figures 6-11.

In regards to claim 28, Kotzur shows the traverse cooperates with the transfer arm to transfer wire from the first 44 to the second 46 mandrel by shifting the wire laterally along the first mandrel and after the transfer arm extends to an extended position proximate the first

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mandrel, shifting the wire back along the first mandrel such that the wire underlies the transfer arm, as seen in Figures 6-11.

With respect to claims 31, 33-36, the method described in these claims would inherently result from the use of the wire-winding machine of Kotzur as advanced above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzur in view of Bravin (US 4,232,838).

Kotzur shows a cam 48, 83 to move the wire guide associated with the transfer arm between retracted and extended positions.

Bravin teaches a hydraulic actuated reciprocating cylinder 22 to move a transfer between retracted and extended positions.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the transfer arm of Kotzur to include hydraulic cylinder as suggested by Bravin, since it is well known to use a hydraulic cylinder in this environment.

Allowable Subject Matter

Claims 7 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9-13 and 18-26 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 9 and 28 are allowable because the teachings of the prior art taken as a whole do not show or render obvious the combination set forth, including: reciting the limitation that the transfer arm is both pivotally mounted and moveable between a plurality of positions relative to the mandrel, and it is extendable between retracted and extended positions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

ehl

A handwritten signature in black ink that reads "Kathy Matecki". The signature is written in a cursive, flowing style.

KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600